

November 17, 2017

VIA ECFS

Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

REDACTED FOR
PUBLIC INSPECTION

Re: Request for Confidential Treatment of Filing of RCLEC, Inc.; *RCLEC, Inc., Applicant, For Authorization to Obtain Numbering Resources Pursuant to Section 52.15(g) of the Commission's Rules*, WC Docket No. 17-____

Dear Ms. Dortch:

Pursuant to Section 52.15(g)(3)(i) of the Commission's Rules, RCLEC, Inc. ("RCLEC") hereby submits its application requesting authorization to obtain numbering resources.

RCLEC respectfully requests that, pursuant to Sections 0.457 and 0.459 of the Commission's rules, 47 C.F.R. §§ 0.457 and 0.459, the Commission withhold from public inspection and accord confidential treatment to Exhibits A, B, and C to the application because those documents contain sensitive trade secrets and commercial information that falls within Exemption 4 of the Freedom of Information Act ("FOIA").¹ RCLEC is voluntarily providing this information, "of a kind that would not customarily be released to the public"; therefore, this information is "confidential" under FOIA.² Moreover, RCLEC would suffer substantial competitive harm if this information were disclosed.³

Exhibits A, B, and C are accordingly marked with the header "REDACTED FOR PUBLIC INSPECTION."

In support of this request and pursuant to Section 0.459(b) of the Commission's rules,⁴ RCLEC hereby states as follows:

¹ 5 U.S.C. § 552(b)(4).

² See *Critical Mass Energy Project v. NRC*, 975 F.2d 871, 879 (D.C. Cir. 1992).

³ See *National Parks and Conservation Ass'n v. Morton*, 498 F.2d 765 (D.C. Cir. 1974).

⁴ 47 C.F.R. § 0.459(b).

1. IDENTIFICATION OF THE SPECIFIC INFORMATION FOR WHICH CONFIDENTIAL TREATMENT IS SOUGHT⁵

RCLEC seeks confidential treatment of Exhibits A, B, and C to the enclosed application.

2. DESCRIPTION OF CIRCUMSTANCES GIVING RISE TO THE SUBMISSION⁶

RCLEC is submitting, as Exhibit A, the agreement between itself and its carrier partner, and as Exhibit B, an interconnection agreement between its carrier partner and a local exchange carrier in one of the states in which RCLEC expects to request numbers, which together provide proof of RCLEC's facilities readiness as required by Section 52.15(g)(3)(i)(D) of the Commission's rules. RCLEC is submitting, as Exhibit C, a list of those states in which RCLEC expects to seek numbers under the authorization requested.

3. EXPLANATION OF THE DEGREE TO WHICH THE INFORMATION IS COMMERCIAL OR FINANCIAL, OR CONTAINS A TRADE SECRET OR IS PRIVILEGED⁷

The information for which RCLEC seeks confidential treatment contains sensitive commercial information "which would customarily be guarded from competitors."⁸ Exhibit A consists of a confidential commercial agreement between RCLEC and its carrier partner and contains proprietary commercial information concerning RCLEC's network, customers, and services. Exhibit B discloses the identity of RCLEC's carrier partner as well as one of the states in which RCLEC expects to seek numbers; Exhibit C consists of a list of states in which RCLEC expects to seek numbers under the authorization requested. Both Exhibits B and C reflect competitively sensitive, confidential commercial information about RCLEC's commercial and deployment planning.

4. EXPLANATION OF THE DEGREE TO WHICH THE INFORMATION CONCERNS A SERVICE THAT IS SUBJECT TO COMPETITION⁹

Exhibits A, B, and C contain information relating to commercial matters that could be used by competitors to RCLEC's disadvantage. The Voice over Internet Protocol ("VoIP") services sector is highly competitive. Detailed operations and commercial information of the type provided by RCLEC could compromise RCLEC's position in this highly competitive industry. Release would therefore result in substantial competitive harm to RCLEC.

⁵ 47 C.F.R. § 0.459(b)(1).

⁶ 47 C.F.R. § 0.459(b)(2).

⁷ 47 C.F.R. § 0.459(b)(3).

⁸ 47 C.F.R. § 0.457(d)(2).

⁹ 47 C.F.R. § 0.459(b)(4).

5. EXPLANATION OF HOW DISCLOSURE OF THE INFORMATION COULD RESULT IN SUBSTANTIAL COMPETITIVE HARM¹⁰

Competitors could use RCLEC's proprietary commercial and operational information to RCLEC's detriment as they would gain access to sensitive information about how RCLEC provides services, about RCLEC's commercial agreements with others in the market that are not normally disclosed to the public, and about RCLEC's commercial and deployment plans.

6. IDENTIFICATION OF ANY MEASURES TAKEN BY THE SUBMITTING PARTY TO PREVENT UNAUTHORIZED DISCLOSURE¹¹

RCLEC has not distributed the information in Exhibits A, B, or C to the public.

7. IDENTIFICATION OF WHETHER THE INFORMATION IS AVAILABLE TO THE PUBLIC AND THE EXTENT OF ANY PREVIOUS DISCLOSURE OF THE INFORMATION TO THIRD PARTIES¹²

RCLEC has not previously disclosed the information in Exhibits A, B, or C.

8. JUSTIFICATION OF THE PERIOD DURING WHICH THE SUBMITTING PARTY ASSERTS THAT MATERIAL SHOULD NOT BE AVAILABLE FOR PUBLIC DISCLOSURE¹³

RCLEC requests that Exhibits A, B, and C be treated as confidential for a period of ten years. This period is necessary due to the proprietary nature of the information in the enclosed proposal.

9. OTHER INFORMATION THAT RCLEC BELIEVES MAY BE USEFUL IN ASSESSING WHETHER ITS REQUEST FOR CONFIDENTIALITY SHOULD BE GRANTED¹⁴

The information concerns RCLEC's proprietary network information, related to current and planned commercial and operational information, and as such, is commercially sensitive.

¹⁰ 47 C.F.R. § 0.459(b)(5).

¹¹ 47 C.F.R. § 0.459(b)(6).

¹² 47 C.F.R. § 0.459(b)(7).

¹³ 47 C.F.R. § 0.459(b)(8).

¹⁴ 47 C.F.R. § 0.459(b)(9).

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Should you have any questions regarding the foregoing information, please contact the undersigned at (202) 730-1338.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'KD', is positioned above the printed name.

Kristine Laudadio Devine
Counsel to RCLEC, Inc.

cc: Jean Anne Collins

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

<i>In the Matter of</i>)	
)	
RCLEC, Inc., Applicant)	WC Docket No. 17-_____
)	
For Authorization to Obtain Numbering)	
Resources Pursuant to Section 52.15(g) of)	
the Commission's Rules)	

**APPLICATION OF RCLEC, INC.
FOR AUTHORIZATION TO OBTAIN NUMBERING RESOURCES**

RCLEC, Inc. ("RCLEC") files this application with the Federal Communications Commission (the "Commission") for authorization to acquire telephone numbers directly from the North American Numbering Plan Administrator and the Pooling Administrator (the "Numbering Administrators") pursuant to Section 52.15(g)(3) of the Commission's Rules.¹

As set forth in the Commission's Numbering Order,² an interconnected VoIP provider may obtain numbering resources from the Numbering Administrator upon showing that it is authorized to provide service in the area for which the numbering resources are requested. Such authorization may be obtained upon an application to the Commission containing the information in Sections 52.15(g)(3)(i)(A)-(F) of the Commission's Rules. RCLEC hereby requests the Commission grant it the authorization.

RCLEC provides the following information in support of its application:

¹ 47 C.F.R. § 52.15(g)(3).

² *Numbering Policies for Modern Communications*, 30 FCC Rcd. 6839 (2015).

I. INFORMATION REQUIRED BY SECTION 52.15(g)(3)(i)

a) §52.15(g)(3)(i)(A)

Name: RCLEC, Inc.
Address: 20 Davis Drive, Belmont, CA 94002
Telephone: (415) 964-4933
Qualified Personnel: Rachel Petty, Assistant General Counsel
Email: rachel.petty@ringcentral.com

b) §52.15(g)(3)(i)(B)

RCLEC hereby acknowledges that authorization to obtain numbering resources under Section 52.15(g) of the Commission's Rules is subject to compliance with applicable Commission numbering rules as well as to the numbering authority delegated to the states. RCLEC also acknowledges that this authorization is subject to compliance with industry guidelines and practices regarding numbering, as applicable to telecommunications carriers.

c) §52.15(g)(3)(i)(C)

RCLEC hereby acknowledges that it must file requests for numbers with the relevant state commission(s) at least 30 days before requesting numbers from the Numbering Administrators.

d) §52.15(g)(3)(i)(D)

RCLEC hereby sets forth its capability to provide service within 60 days of the numbering activation date. RCLEC is engaged in the provision of telecommunications services, which includes interconnected VoIP, and currently interconnects with the PSTN in 32 states through interconnection agreements with AT&T, CenturyLink, Frontier and Verizon. In those states where RCLEC does not have interconnection agreements, RCLEC has agreements in place with carrier partners who in turn have interconnection agreements in effect with the relevant local exchange carriers. RCLEC has been in operation as a CLEC for 4 years and, as a result, has internal operations in place to support number requests and routing as supported by its AOCN. RCLEC

has a full staff for porting. RCLEC submits, as Exhibit A to this application a copy of a commercial agreement between it and its carrier partner, as Exhibit B an interconnection agreement between that carrier partner and a local exchange carrier, and as Exhibit C the states in its initial implementation plan. RCLEC has requested confidential treatment for each exhibit.

e) §52.15(g)(3)(i)(E)

RCLEC certifies that it complies with its Universal Service Fund contribution obligations under 47 CFR part 54, subpart H; its Telecommunications Relay Service contribution obligations under 47 CFR § 64.604(c)(5)(iii); its North American Numbering Plan and Local Number Portability Administration contribution obligations under 47 CFR §§ 52.17 and 52.32; its obligations to pay regulatory fees under 47 CFR § 1.1154; and its 911 obligations under 47 CFR part 9.

f) §52.15(g)(3)(i)(F)

RCLEC has successfully operated as a licensed facilities-based carrier California since January 2014; it also operates as a licensed facilities-based carrier in 32 other states and the District of Columbia. RCLEC certifies that it possesses the financial, managerial, and technical expertise to provide reliable service. Attached hereto as Exhibit D are the names and titles of RCLEC's key management and technical personnel. RCLEC states that none of the identified personnel are being or have been investigated by the Commission or any law enforcement or regulatory agency for failure to comply with any law, rule or order.

g) §52.15(g)(3)(i)(G)

RCLEC hereby certifies that no party to this application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

II. ACKNOWLEDGEMENT OF CONDITIONS IN SECTION 52.15(g)(3)(iv)

As required by Section 52.15(g)(3)(iv), RCLEC will maintain the accuracy of all contact information and certifications in the application, and will file a correction with the Commission and each applicable state within 30 days of any changes. RCLEC will also furnish accurate regulatory and numbering contact information to each state commission when requesting numbers in that state.

III. CONCLUSION

Pursuant to Section 52.15(g)(3)(i) of the Commissions' Rules, RCLEC respectfully requests the Commission grant this application for authorization to obtain numbering resources.

Respectfully Submitted,



Kristine Laudadio Devine
HARRIS, WILTSHIRE & GRANNIS LLP
1919 M Street NW, Eighth Floor
Washington, DC 20036
(202) 730-1300

Counsel to RCLEC, Inc.

EXHIBIT A

AGREEMENT BETWEEN RCLEC, INC. AND ITS CARRIER PARTNER

EXHIBIT B

**INTERCONNECTION AGREEMENT BETWEEN RCLEC, INC.'S CARRIER
PARTNER AND A LOCAL EXCHANGE CARRIER**

EXHIBIT C

RCLEC, INC.'S INITIAL IMPLEMENTATION PLAN

EXHIBIT D

KEY MANAGEMENT AND TECHNICAL PERSONNEL

John Marlow, President and Chief Executive Officer of RCLEC, Inc.

Mr. Marlow serves as President and Chief Executive Officer of RCLEC, Inc. Mr. Marlow also oversees business and legal affairs at RingCentral, RCLEC's parent company. For the last six years, Mr. Marlow has worked as RingCentral's General Counsel and Senior Vice President of Corporate Development.

Before joining RingCentral, Mr. Marlow was the founding and managing partner of Entrepreneurs Law Group (ELG), a boutique law firm based in San Francisco specializing in corporate, securities, tax, intellectual property, venture capital, mergers and acquisitions and licensing matters. During his five years at ELG, Mr. Marlow represented companies in a broad range of industries, including software, hardware, information technology, and telecommunications.

Before founding ELG, Marlow was a partner in the San Francisco office of Reed Smith, a full-service international law firm. Prior to that, Mr. Marlow was a partner at Crosby, Heafey, Roach & May, LLP, a law firm that was acquired by Reed Smith.

Mr. Marlow received his law degree from University of California Berkeley School of Law (Boalt Hall) in 1994, and a Bachelor's degree, *summa cum laude*, from Colgate University.

Mitesh Dhruv, Chief Financial Officer of RCLEC, Inc.

Mr. Dhruv serves as Chief Executive Officer of RCLEC, Inc. Mr. Dhruv also serves in this capacity for RingCentral, RCLEC's parent company. He is closely involved in driving business strategy, corporate finance, partnerships, and growth opportunities. He joined RingCentral in 2012 and is responsible for RingCentral's global finance functions, including financial planning, controllership, tax, treasury, and investor relations.

Dhruv began his career at PricewaterhouseCoopers and has more than 15 years of experience in accounting and finance. Before joining RingCentral, he worked at Bank of America-Merrill Lynch as an equity analyst, covering software and cloud companies, and worked on several multi-billion-dollar IPOs.

Dhruv is a Chartered Accountant as well as a CFA Charterholder, and has an undergraduate degree in accounting from the University of Mumbai, India.

Bruce Johnson, Secretary of RCLEC, Inc.

Mr. Johnson serves as Secretary of RCLEC, Inc. Mr. Johnson also serves as Vice President, Legal, of RCLEC's parent company, RingCentral, Inc.

Mr. Johnson has over 25 years' experience as an attorney, and has served as in-house legal counsel to telecommunications-related companies for 14 years. Mr. Johnson served as Associate General Counsel of Atheros Communications, Inc., a provider of wireless and wired connectivity semiconductors and systems, where he handled and effectively managed every aspect of Atheros becoming and remaining a publically traded company in good legal standing. He served as Senior Director and Legal Counsel for Qualcomm Atheros, Inc. following the acquisition of Atheros by Qualcomm Incorporated. Prior to that, Mr. Johnson served as General Counsel to Vyyo, Inc., and prior to that, Mr. Johnson was an Associate and Partner at Bay Venture Counsel, LLP, a law firm, and an Associate at Brobeck, Phleger & Harrison, a law firm.

Mr. Johnson holds a Juris Doctorate degree from University of California at Los Angeles, School of Law. Mr. Johnson received his Bachelor of Arts degree in Economics and English from Duke University.

Jeff Slater, Senior Director of Voice Gateways of RCLEC, Inc.

Mr. Slater serves as the Senior Director of Voice Gateways at RCLEC, Inc.

Mr. Slater has 30 years managerial experience in the telecommunications industry. Mr. Slater's experience includes executive management, business plan development, product and service development, engineering, network implementation, operations management, back office integration, vendor and facility contract negotiations, regulatory and compliance processes, and development of new sales channels both domestically and internationally.

Mr. Slater has served as the Chief Operating Officer of Covista Communications, providing traditional long distance, UNE-based local service and next generation SIP trunking and hosted PBX products to residential and business customers throughout the US. Prior to that, he was President of Broadvox, a CLEC providing next-generation local service using and providing IP originated and terminated calls.

As Vice President of Business Development at CIMCO, Mr. Slater was responsible for planning the next generation of products, services and network topologies for the company. Mr. Slater was responsible for managing the IP-based SMB business initiative, building network strategies to overcome UNE regulatory issues, mapping CoEu, wireless and fiber network strategies, and auditing all internal process to secure retroactive and prospective cost savings.

As the President of Cedar Valley Communications, Mr. Slater succeeded in developing and implementing a reorganization plan, attaining positive cash flow, and attracting equity investments resulting in the sale of the Company.

Mr. Slater has also held executive positions as Founder and President of JTek Systems, Chief Operating Officer of TotalTel, a Covista Communications Company, Vice President of Operations of Charter Network, and Director of Lexicom.

Mr. Slater received his degree in Business from DePaul University.

Curtis Lee Peterson

Mr. Peterson serves RCLEC in a consulting capacity to contribute his technological and managerial knowledge to RCLEC, Inc.

Mr. Peterson has established his ability to rapidly grow businesses when he helped NuVox grow from a \$550,000 business to \$550M in ten years. Mr. Peterson also has strong skills in VOIP, IP Networking, and Information Technology. His information technology experience includes software design and design management, hardware and network design, security, implementation and deployment, virtualization/cloud services management of rapid application development, and multi-department project management. His network operations experience includes VOIP, TDM, wireless, aggregation, content delivery networks, data centers, high availability applications, network design and operation, and SAAS.

Mr. Peterson developed his technical and managerial skills in his long career at NuVox (previously NewSouth Communications, Inc.). As Vice President of Center Operations of NuVox, he managed 120 technical professionals, improving the customer base and reliability of the VoIP network. Mr. Peterson oversaw the operations of 29 Class 5 switches, 40 Central Office Sites, 500+ collocations, 4 Customer (SAS-70 II certified) data centers, 24 Softswitch gateways, 16 state MPLS / IP network with over 550 routers, and the VOIP platform.

Mr. Peterson worked in diverse managerial positions throughout his career at NuVox, including Director of Data Product Development/Senior Manager of Data Products, Director of Customer Marketing, and Director of IT. Prior to that, Mr. Peterson was Director of IP Operations at Talk.com (formerly Omnicall), and District Technology Coordinatory for a multi-campus school district.

Mr. Peterson holds a degree in Computer Engineering from Auburn University in Auburn, Alabama.